

2025 Regular Session

ACT No. 83

HOUSE BILL NO. 401

BY REPRESENTATIVES DICKERSON, BAMBURG, BERAULT, BILLINGS, BOYER,
CARLSON, CARVER, CHENEVERT, COX, DOMANGUE, EDMONSTON,
EGAN, FISHER, GALLE, GLORIOSO, MACK, MCMAKIN, MELERINE,
SCHAMERHORN, SPELL, WILDER, WILEY, AND WYBLE

1 AN ACT

2 To amend and reenact R.S. 40:1428(C) and to repeal R.S. 40:1428(A)(3), relative to fees
3 assessed on direct premiums of insurers; to provide relative to fee collection by the
4 Department of Insurance; to provide for deposits into the Insurance Fraud
5 Investigation Dedicated Fund Account; to provide for unexpended and
6 unencumbered funds; to repeal certain fee reductions; to provide for effectiveness;
7 and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 40:1428(C) is hereby amended and reenacted to read as follows:

10 §1428. Special assessment; creation of dedicated fund account

11 * * *

12 C. After compliance with the requirements of Article VII, Section 9(B) of
13 the Constitution of Louisiana relative to the Bond Security and Redemption Fund,
14 an amount equal to that deposited as required by Subsection B of this Section shall
15 be credited to a special statutorily dedicated fund account created in the state treasury
16 to be known as the Insurance Fraud Investigation Dedicated Fund Account, hereafter
17 referred to in this Subsection as the "account". The monies shall be irrevocably
18 dedicated and deposited in the account and shall be used solely as provided in
19 Subsection A of this Section and only in the amounts appropriated by the legislature.

1 Monies in the account shall be appropriated, administered, and used solely and
2 exclusively for purposes of the fraud unit, fraud support unit, insurance fraud section,
3 and as further provided in this Section. All unexpended and unencumbered monies
4 in the account at the end of the fiscal year shall ~~be refunded to each insurer licensed~~
5 ~~by the Department of Insurance to conduct business in this state assessed a fee~~
6 ~~pursuant to this Section on a pro-rata basis based on each insurer's proportionate~~
7 ~~share of the total fees collected pursuant to this Section~~ remain in the account.
8 Monies deposited into the account shall be categorized as fees and self-generated
9 revenue for the sole purpose of reporting related to the executive budget, supporting
10 documents, and general appropriation bills and shall be available for annual
11 appropriation by the legislature.

12 * * *

13 Section 2. R.S. 40:1428(A)(3) is hereby repealed in its entirety.

14 Section 3. The provisions of this Act shall become effective upon effective upon
15 signature by the governor or, if not signed by the governor, upon expiration of the time for
16 bills to become law without signature by the governor, as provided by Article III, Section
17 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by
18 the legislature, this Act shall become effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____